UNITED STATES PATENT AND TRADEMARK OFFICE

MN

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,979	12/10/2003	Anilkumar Gunturu	350078.412	6437

34554   7590   07/06/2007

SEED INTELLECTUAL PROPERTY LAW GROUP PLLC
701 FIFTH AVENUE, SUITE 5400
SEATTLE, WA 98104-7092

EXAMINER
DINH, KHANH Q

ART UNIT	PAPER NUMBER
2151	

MAIL DATE	DELIVERY MODE
07/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/731,979	GUNTURU, ANILKUMAR
	Examiner	Art Unit	
	Khanh Dinh	2151	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _10 December 2003_.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-31_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-31_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-31 are presented for examination.

Claim Objections

2.   Claim 25 is objected to because of the following informalities:

Claim 25 has **no** limitation in the body of the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section
122(b), by another filed in the United States before the invention by the applicant for
patent or (2) a patent granted on an application for patent by another filed in the United
States before the invention by the applicant for patent, except that an international
application filed under the treaty defined in section 351(a) shall have the effects for
purposes of this subsection of an application filed in the United States only if the
international application designated the United States and was published under Article
21(2) of such treaty in the English language.

4.   Claims 1-31 are rejected under 35 U.S.C. 102(e) as being anticipated by DeBettencourt et

al, US Pub. No.2005/0060372 A1 (hereafter DeBettencourt).

As to claim 1, DeBettencourt discloses method, comprising:

examining a packet to determine if the packet contains extensible markup language (XML)-

related content (monitoring incoming data using stream sensor, see abstract, fig.4, [0054] to

[0056]);

if any XML-related content is determined to be present, matching that XML-related content to a

rule and determining an action to undertake with regards to the packet based on the matching

rule (monitoring incoming XML message according with the rules, see [0055] to [0061]).

As to claim 2, DeBettencourt discloses determining the action to undertake includes determining

which server to forward the packet (see [0062] to [0066] and [0074] to [0077]).

As to claims 3 and 4, DeBettencourt discloses examining the packet includes at least one of

examining a header of the packet and examining a body of the packet and wherein examining the

packet includes reading the packet to determine if any at least one of an XML tag and an XML

attribute is present therein (see [0081] to [0086] and [0095] to [0096]).

As to claims 5 and 6, DeBettencourt discloses examining the packet includes examining a

request to determine if the request includes an indication of an XML representation of a resource

being requested and wherein examining the packet includes examining a hypertext transfer

protocol (HTTP) packet (see fig.11, [0098] to [0101]).

As to claims 7 and 8, DeBettencourt discloses examining the HTTP packet includes examining a

simple object access protocol (SOAP) message in the HTTP packet to determine if the SOAP

message encapsulates XML-related content and decrypting the packet prior to examining the

packet (see [0038] to [0040] and [0102]).

As to claims 9 and 10, DeBettencourt discloses examining the packet includes examining XML

root and node elements of the packet to identify content that can be matched to at least one rule

and defining a plurality of simple rules that can be related to one another to form a complex rule,

wherein at least one of the simple rules is specific to XML-related content (see [0062] to [0066]

and [0074] to [0077]).

As to claim 11, DeBettencourt discloses performing the action, including at least one of

performing a delayed binding operation and buffering packets until information for load

balancing is received, load balancing multiple XML applications, differentiating service of

packets based on their XML-related content, and prioritizing transactions based on XML-related

content of packets (see [0081] to [0086] and [0095] to [0096]).

As to claim 12, DeBettencourt discloses examining the packet to identify non-XML-related

content; matching the non-XML-related content to corresponding rules and determining the

action to undertake based on the rules corresponding to the XML-related content and to the non-

XML-related content (see [0081] to [0086] and [0095] to [0096]).

As to claim 13, DeBettencourt discloses a method, comprising:

examining a packet to identify indicia present therein that is associated with a structured

document format (monitoring incoming XML data using stream sensor, see abstract, fig.4,

[0054] to [0056]);

comparing data from the indicia with a set of rules to identify at least one of the rules that

matches that data and undertaking an action with regards to the packet based on a rule that

matches the data (monitoring incoming XML message according with the rules, see [0055] to [0061]).

As to claims 14 and 15, DeBettencourt discloses examining the packet to identify indicia present therein that is associated with the structured document format includes examining a packet having XML-related content present therein and examining the packet to identify indicia includes examining at least one of header and body portions of the packet to locate either or both an XML tag and an XML attribute (see [0081] to [0086] and [0095] to [0096]).

As to claims 16 and 17, DeBettencourt discloses comparing the data from the indicia includes at least one of comparing a string in either or both the XML tag and XML attribute, or comparing a string marked by either or both the XML tag and XML attribute, with the set of rules and defining a set of commands that specify a manner in which the structured document format is to be examined (see [0062] to [0066] and [0074] to [0077]).

As to claim 18, DeBettencourt discloses defining a plurality of first rules, at least some of which are associated with the structured document format and at least some of which are not associated with the structured document format and defining a plurality of second rules, at least some of which are made up of several first rules; and specifying an action to undertake for each of the second rules, if content of packets match the second rules (see [0081] to [0086] and [0095] to [0096]).

Claims 19-22 are rejected for the same reasons set forth in claims 13, 14, 18 and 1 respectively.

As to claim 23, DeBettencourt discloses means for examining the packet includes at least one of a means for examining a header of the packet and a means for examining a body of the packet, such means for examining the header and body of the packet including at least one of a means for reading the packet to determine if any at least one of an XML tag and an XML attribute is present therein (see [0081] to [0086] and [0095] to [0096]).

As to claim 24, DeBettencourt discloses means for processing the packet if the packet includes encrypted content (see [0102] and [0169]).

Claim 25 has no limitation. Therefore, no citation is necessary.

Claims 26-29 are rejected for the same reasons set forth in claims 12, 11, 1 and 8 respectively.

As to claim 30, DeBettencourt discloses a data structure accessible by the processor to store rules that specify actions to undertake if certain XML-related content is present in packets (see [0062] to [0066] and [0074] to [0077]).

As to claim 31, DeBettencourt discloses the data structure stores rules that are non-XML-related content, the first element being capable to examine the packet for the non-XML-related content; the second element being capable to match the non-XML-related content of the packet to at least

one corresponding rule, the third element being capable to determine the action to undertake

based on an evaluation of a combination of rules pertaining to XML-related content and non-

XML-related content present in the packet (see [0081] to [0086] and [0095] to [0096]).

Other prior art cited

5.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

     a. DeBettencourt et al, US pub. No.2005/0049924 A1.

     b. Beck et al, US pub. No.   2004/0088349.

     c. MacLean et al, US pub. No.2002/0143614.

Conclusion

6.   Claims 1-31 are rejected.

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The

examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Zarni Maung, can be reached on (571) 272-3939.   The fax phone number for this

group is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:
Commissioner for patents
P O Box 1450
Alexandria, VA 22313-1450

KHANH DINH
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100